



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

PLANNING

HEARING DATE: October 22, 2009
ITEM NO.: 1
TIME: 10:05 am

TO: Placer County Planning Commission
FROM: Development Review Committee
DATE: September 16, 2009
SUBJECT: **GENERAL PLAN AMENDMENT/REZONE/AVALANCHE APPEAL/MITIGATED
NEGATIVE DECLARATION - "CALDWELL REZONE (PREA T20080154)"**

COMMUNITY PLAN AREA: Alpine Meadows General Plan

GENERAL/COMMUNITY PLAN DESIGNATION: Community Recreation, Green Belt, Park, and Open Space

ZONING: Open Space

ASSESSOR PARCEL NUMBERS: 095-290-017-000

STAFF PLANNER: Steve Buelna, Supervising Planner

LOCATION: The project is located at the southwest corner of Deer Park Drive and Alpine Meadows Road in the Alpine Meadows area.

APPLICANT: Troy Caldwell

PROPOSAL:

The applicant is requesting the approval of an amendment to the Alpine Meadows General Plan from Community Recreation, Green Belt, Park and Open Space to Single Family Residential one dwelling unit per acre, a Rezone from O (Open Space) to RS-B-43 (Residential Single Family, combining minimum Building Site of 43,560 square feet) and an Avalanche Appeal to allow construction of one single family dwelling. The Amendment to the Alpine Meadows General Plan and Rezoning applies to one acre of the 4.77 acre parcel.

CEQA COMPLIANCE:

The proposed action to deny the project is exempt from environmental review pursuant to Public Resources Code Section 21080(b)(5) (i.e., projects which a public agency rejects or disapproves). In the event that the Planning Commission and/or Board of Supervisors determine that the project warrants further consideration, the project will be remanded back to the Planning Commission for consideration of a Mitigated Negative Declaration and to discuss the merits of the project.

PUBLIC NOTICES AND REFERRAL FOR COMMENTS:

Public notices were mailed to property owners of record within 300 feet of the project site. A public hearing notice was also published in the *Sierra Sun* newspaper. Consistent with Placer County Code 17.58.045 (Posting of Sites), a four-foot by four-foot public notification sign with the sign copy "Development Proposal Pending", was installed along the parcel frontage at the intersection of Alpine Meadows Road and Deer Park Drive. Other appropriate public interest groups and citizens were sent copies of the public hearing notice and the North Tahoe Regional Advisory Council. Copies of the project plans and application were transmitted to the Community Development Resource Agency staff and the Departments of Public Works and Environmental Health Services, the Air Pollution Control District and Facility Services for their review and comment. The comments received from these agencies have been addressed in the analysis section of this report. The Planning Department received one public comment letter, and one letter from CalFire that are attached to this report (Attachment F).

PROJECT DESCRIPTION:

The applicant is proposing to construct one single family residence on this five acre parcel in the Alpine Meadows area. The entire parcel is zoned Open Space and has the designations of Community Recreation, Green Belt, Park, and Open Space from the Alpine Meadows General Plan. The project would change the zoning and the Alpine Meadows General Plan land use designation for one acre of this parcel to a Residential Single Family (RS) Zone District and the General Plan designation for that one acre to Residential Single Family. In addition to the land use designations, the project is currently designated as a Potential Avalanche Hazard Area (PAHA). The applicant has included an Appeal of this designation as part of this project.

BACKGROUND:

The ***North Tahoe Regional Advisory Council*** reviewed this proposal at their October 8, 2009 meeting and voted unanimously (7-0) to recommend approval of the project. The only public comment was provided by Alpine Meadows Ski Resort, which spoke in support of the project. The majority of the questions of the Council centered on avalanche issues, the future easement agreement for the avalanche shooting building, the Alpine Meadows General Plan, and the processes for plan amendments and rezoning. Further discussion of these issues is included later in this report.

SITE CHARACTERISTICS:

The subject property is bordered on two sides by roadways and Bear Creek is located along the southern property line. This approximately five acre site contains a steep down slope towards Bear Creek. The site contains relatively dense vegetation consisting primarily of mixed conifers. The western portion of the property contains a small building used for avalanche control. From this building a charge is shot from the Caldwell site across Alpine Meadows Road. Upon impact in the snow on the north side of Alpine Meadows Road, the charge detonates such that an avalanche might occur while the roadway is closed, reducing the potential for placing persons in harm's way. Currently the project site is also designated as a Potential Avalanche Hazard Area (PAHA).

EXISTING GENERAL PLAN DESIGNATIONS, ZONING AND LAND USE:

Location	Zoning	General Plan/Community Plan	Existing Conditions and Improvements
Site	Open Space	Alpine Meadows	Undeveloped with exception of avalanche building in the western portion of property
North	same as project site	same as project site	Undeveloped
South	Residential Single-Family	same as project site	Undeveloped – Bear Creek
East	Residential Single-Family	same as project site	Single Family

			Dwellings
West	Residential Single-Family	same as project site	Single Family Dwellings

DISCUSSION OF ISSUES:

General Plan/Zoning Consistency

The project site is designated Community Recreation, Green Belt, Park, and Open Space in the Alpine Meadows General Plan. As a policy in the General Plan, this Open Area is to be left in as much a natural state as possible. In staff's evaluation of this General Plan, it is apparent that the plan envisioned a pod like design with several open space areas separating these residential clusters of development. This project site is one of the areas identified as open space. The Plan further identifies the avalanche area upslope of this site on the property across Alpine Meadows Road from this site.

The applicant is requesting to change the land use designation for one acre of the project site to allow the construction of a single family residential home. The Residential Single Family zoning designation accounts for a vast majority of the parcels contained within the Alpine Meadows General Plan with densities ranging from one to four dwelling units per acre.

The project, if approved, would eliminate the buffer between two of the residential pods for which this site has served since the Alpine Meadows General Plan was adopted in 1968. The small foot trail on the parcel that provides a connection between Bear Creek and the Five Lakes Trailhead provides evidence of this historic use.

It is the determination of staff that the proposed amendment to the Alpine Meadows General Plan and Rezone would not be consistent with the intended vision for land use pattern in this area. Staff has also determined that there has been no change in circumstances over time that would warrant a change in the original policy and zoning designations of the Board of Supervisors when they adopted the Alpine Meadows General Plan. Staff has concluded that in addition to the concerns over the avalanche hazard discussed later in this report, that the project could alter the overall vision for development for this community.

Avalanche Designation

The project site is currently located in a Potential Avalanche Hazard Area (PAHA). County Code (Section 12.40.010) defines PAHAs as areas "intended to identify those areas where, after investigation and study, the county finds that an avalanche potential exists because of steepness of slope, exposure, snow pack composition, wind, temperature, rate of snowfall, and other interacting factors." This section of County Code does not prohibit construction in these areas, but does include measures to address the potential risks associated with construction in potential avalanche areas. While the Avalanche Ordinance regulations do not apply to existing structures or parcels, Section 12.40.020 states that a building permit will not be issued for a new building associated with General Plan Amendments and Rezonings, unless a California licensed architect or engineer experienced in snow design, in conjunction with a recognized avalanche expert or team of experts, certifies that the structure will be safe under the anticipated loads and conditions of an avalanche.

There is a provision in the ordinance that allows for a property owner to appeal this designation as a PAHA. As part of this project, the applicant has filed for such an Appeal. This process requires that an expert or team of experts shall (defined by County Code as individuals with existing demonstrable recognition as "experts" among the community of avalanche practitioners) provide a report to the County as part of the submittal. It is the responsibility of the project architect/engineer to demonstrate the recognition of this individual as an expert on the identification of avalanche prone areas.

The submittal includes a report prepared by Dick Penniman that suggests a reclassification of the property based on elevation to Moderate and Low Hazard areas (the County does recognize Mr. Penniman as an expert in this area). The recommendation also suggested that the project should be conditioned such that an engineer certify that any structure be designed to withstand the force of an avalanche. This recommendation is consistent with the Avalanche Ordinance requirements for construction in PAHAs.

Although Mr. Penniman's report suggests a reclassification of portions of the property (to Moderate and Low Avalanche Hazard Area), it does not recommend the removal of this property from a PAHA. Accordingly, in addition to the concerns described for the overall land use of the area, staff cannot support the Rezone of an area that is within an Avalanche Zone. It would appear that the steep slope across Alpine Meadows Road and its potential to create avalanches, may have been an underlying reason the Board of Supervisors designated this parcel as a Greenbelt area when this Plan was approved.

ENVIRONMENTAL ANALYSIS:

Although this staff report does not recommend approval of an environmental document at this time, the following synopsis of the Mitigated Negative Declaration (which is attached for reference as Attachment E) that has been prepared addresses the environmental effects of the proposed project should it be considered for approval. This analysis determined that the project could result in potentially significant impacts related to cultural resources, geology & soils, hydrology & water quality, land use planning, and utility and service systems. Specific mitigation measures are recommended to reduce the identified impacts to less than significant levels. It should also be noted that although the project description on the first page of the Initial Study does not mention the Amendment to the General Plan, the document does provide mention and analysis of that portion of the request in the Land Use Planning section. Provided below is a brief summary of the more significant issues affecting this project:

Cultural Resources

The records search that was conducted for the subject property by North Central Information Center (NCIC) in May 2007 indicated a low to moderate potential of identifying pre- historic archeological sites and historic-period cultural resources in the project area. The NCIC recommended that further archival and/or field study by a cultural resource professional be conducted for this site. This resulted in the preparation of a Heritage Resource Study by Susan Lindstrom, PhD. (Archeologist) dated April 2009. Two areas of concern were evaluated; the potential for the historical Deer Park Springs lodge that may have been located on the site and the potential of the site to have significance to the Washoe Tribe. Deer Park Springs, a historic lodge that was constructed in the late 1890s, was known to be located in the general vicinity.

Lindstrom's report arrived at the conclusion that the lodge and all associated activities were located on an adjacent parcel and was not located on the Caldwell property. Lindstrom's consultation with Darrel Cruz, the Tribal Historic Preservation Officer for the Washoe Tribe resulted a written response from Mr. Cruz that supports Lindstrom's recommendation to allow the project to proceed provided that archeological monitoring is provided as a condition of the project approval.

Geology and Soils

The grading activities for one building pad and one driveway along an existing unimproved road alignment would result in changes in potential deposition, erosion or siltation to Bear Creek that is considered less than significant given the project proposal. The site is located within Seismic Zone 3 and the future residential structure that will be built should this project be approved will be built according to the current edition of the California Building Code, which includes seismic design criteria, so the likelihood of severe damage due to ground shaking is minimal. If approved, the project would also be conditioned that an engineer certifies that the structure is designed to withstand the force of an avalanche.

Hydrology and Water Quality

The project will not rely on groundwater wells as a potable water source and water will be provided for the project from Alpine Springs County Water District. The new residential building proposed with this project will create additional impermeable surface(s) on a portion of the property resulting in a slightly reduce the rate of groundwater recharge. However, a significant portion of the property will remain unimproved and the impact to groundwater recharge is less than significant. Therefore, the project will not substantially deplete groundwater supplies or interfere with groundwater recharge. The disruption of soils on the site for the grading for the residence and associated driveway has the potential to result in significant increases in erosion of soils both on and offsite. The proposed project's impacts associated with soil erosion will be mitigated to a less than significant level by the installation of Best Management Practices (BMPs).

Land Use Planning

The project proposes a change in the zoning from Open Space to Residential Single Family (RS) and a change in the land use designation from Community Recreation, Green Belt, Park, and Open Space to Single Family Residential. The applicant's request to amend the Alpine Meadows General Plan would change the designation to Single Family Residential, which would be compatible with adjacent properties.

The General Plan designation may have been used to disallow residences on the property due to avalanche hazards as the property is within an area that has been designated as a Potential Avalanche Hazard Area (PAHA). A report was prepared by Dick Penniman in August 2005 which challenged this designation. The Avalanche Hazard Study recommends the site be reclassified primarily based on elevation ranges at the site. The result of this reclassification would place most of the parcel in a Low Avalanche Hazard Area and a portion of it would be within a Moderate Avalanche Hazard Area. The Avalanche Ordinance allows for construction of a residence in the Moderate and Low Hazard areas. The recommendation provided by Mr. Penniman is consistent with this Ordinance in that structures are allowed to be constructed if they are engineered to withstand the force of an avalanche.

Utilities and Service Systems

The project proposal would result in the rezoning of this parcel from Open Space to Single Family Residential and a change in the land use designation from Community Recreation, Green Belt, Park and Open Space to Single Family Residential one dwelling unit per acre. One additional single family residence and access driveway could be constructed as a result of this rezone and general plan amendment. The new residence will connect to existing water and sewer services that are located in the vicinity. The project proposes to utilize the Alpine Springs County Water District for water and sewer services. The project will generate a negligible increase in the demand for these utilities and service systems. The applicant will also be required to obtain standard "Will Serve" letters from all other service providers. The project, as proposed, will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board or result in the construction of new storm water drainage facilities or expansion of existing facilities; the construction of which could cause significant environmental effects.

RECOMMENDATION:

The Development Review Committee recommends that the Planning Commission recommend to the Board of Supervisors DENIAL of the applicant's request for a General Plan Amendment and Rezone, based upon the findings contained within this report. Because the recommendation is for denial of the General Plan Amendment and Rezone, no findings for approval have been included.

FINDINGS:

CEQA:

The action to deny of the project is exempt from environmental review pursuant to Public Resources Code Section 21080(b)(5) (i.e., projects which a public agency rejects or disapproves). In the event that the Planning Commission and/or Board of Supervisors determine that the project warrants further

consideration, the project will be remanded back to the Planning Commission for consideration of the Mitigated Negative Declaration and to discuss the merits of the project.

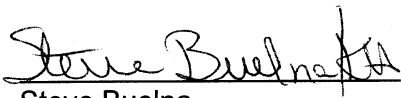
GENERAL PLAN AMENDMENT:

The proposed General Plan Amendment would create a conflict between the existing envisioned design of the General Plan that provides open space or greenbelt buffer zones between the residential clusters. Therefore, this change in land use designation would not be consistent with the public health safety and welfare at this time.

REZONING:

The rezoning without a replacement of open space would not be appropriate or consistent with the character of the area. Furthermore, it appears that in addition to providing open space, this property was specifically selected to also address the avalanche concerns created by the slope to the north.

Respectfully submitted,

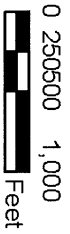


Steve Buelna
Supervising Planner

ATTACHMENTS:

- Attachment A – Vicinity Map
- Attachment B – Alpine Meadows General Plan Map
- Attachment C – General Plan Amendment Exhibit
- Attachment D – Rezone Exhibit
- Attachment E – Mitigated Negative Declaration
- Attachment F – Correspondence

cc: Troy Caldwell – Property Owner
Sarah Gillmore – Engineering and Surveying Department
Janelle Heinzen – Engineering and Surveying
Grant Miller – Environmental Health Services
Yu-Shuo Chang – Air Pollution Control District
Andy Fisher – Parks Department
Paul Thompson – Deputy Planning Director
Michael Johnson – Community Development Resources Agency Director
Scott Finley – County Counsel
Subject/chrono files

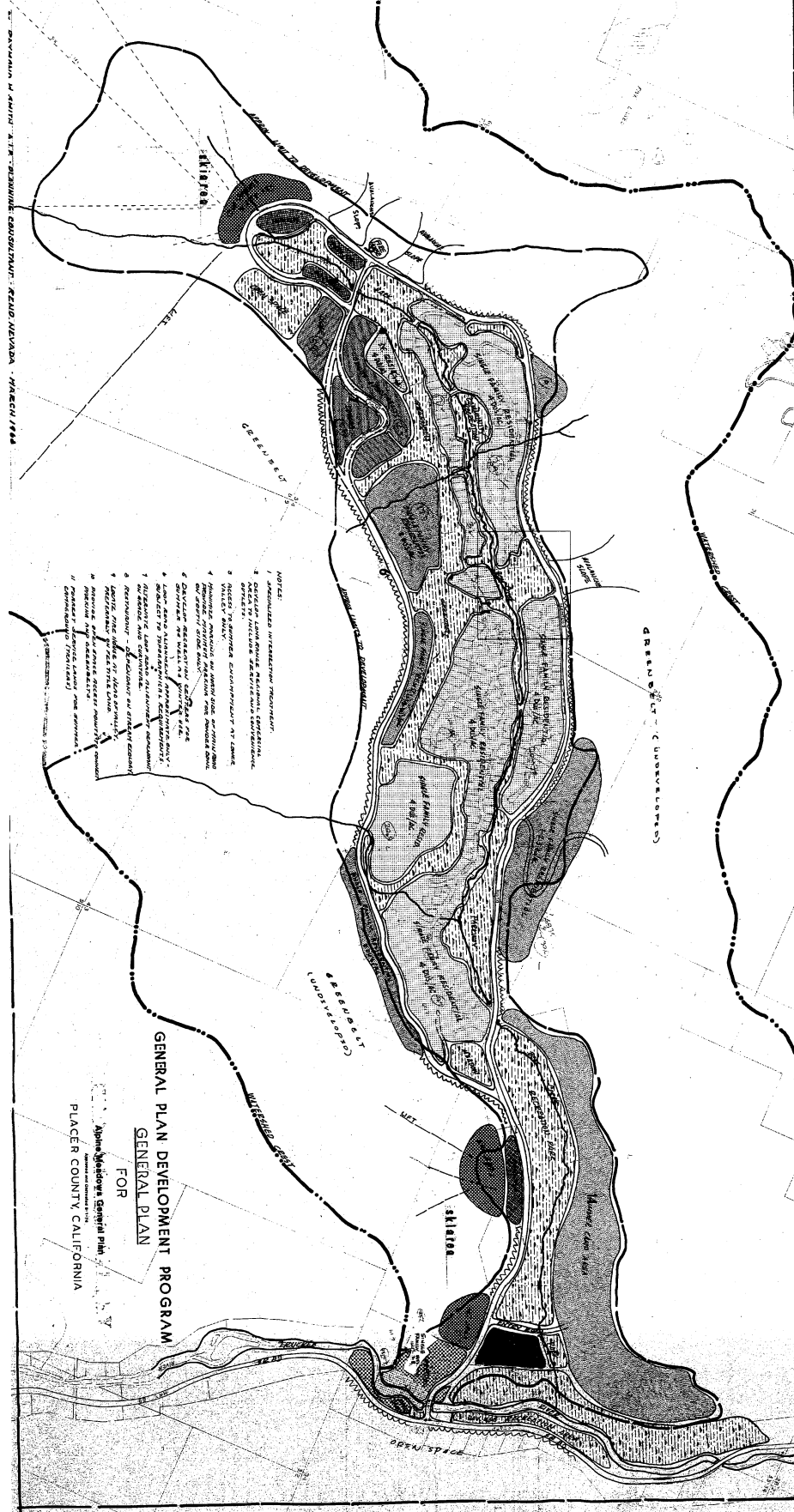


Caldwell

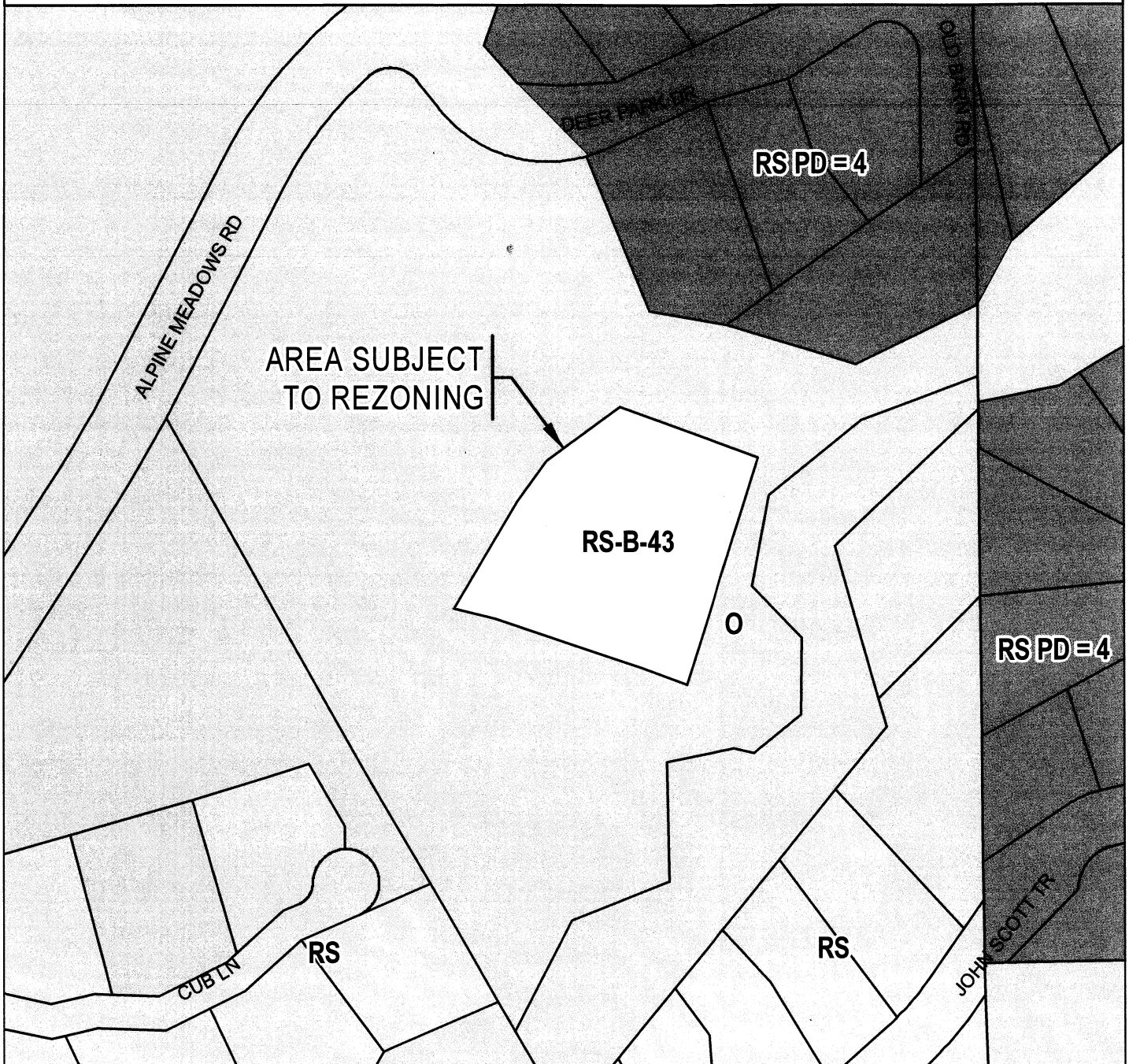
095-290-017

Placer County

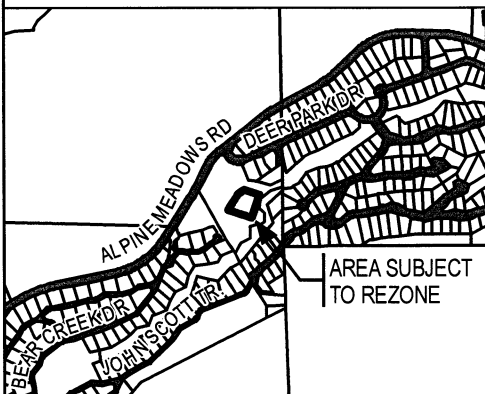
003
RECREATION



CALDWELL REZONE EXHIBIT: PROPOSED ZONING








VICINITY MAP



LEGEND

ZONING

-  O
-  RS
-  RS PD = 4
-  RS-B-43
-  PARCEL

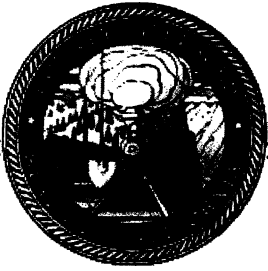
SOURCE DATA:
Community Development Resource Agency, October 2009

DATA DISCLAIMER:
The features on this map were prepared for geographic purposes only and are not intended to illustrate legal boundaries or supercede local ordinances. Official information concerning the features depicted on this map should be obtained from recorded documents and local governing agencies.

DOCUMENT LOCATION:
S:\CDRA\REQUESTS\PLN_SBUELNA\CaldwellPcl_090924\ARCMAP\caldwellpcl_Rezone_091002.mxd

DOCUMENT CREATION:
Placer County
Community Development Resource Agency
IT/GIS Division

DATE PRINTED:
October 2, 2009



COUNTY OF PLACER
Community Development Resource Agency

Michael Johnson, AICP, Agency Director

**ENVIRONMENTAL
COORDINATION
SERVICES**

Gina Langford, Coordinator

**NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION**

The project listed below was reviewed for environmental impact by the Placer County Environmental Review Committee and was determined to have no significant effect upon the environment. A proposed Mitigated Negative Declaration has been prepared for this project and has been filed with the County Clerk's office.

PROJECT: Caldwell Rezone

PROJECT DESCRIPTION: The project proposes a Rezone to change the parcel from an Open Space designation to Residential Single Family, and an Appeal to remove the property from a County designated Avalanche Area.

PROJECT LOCATION: Southwest Corner of Deer Park Drive and Alpine Meadows Road, Alpine Meadows, Placer County

APPLICANT: Troy Caldwell, PO Box 1784, Tahoe City, CA 96145, 530-583-5761

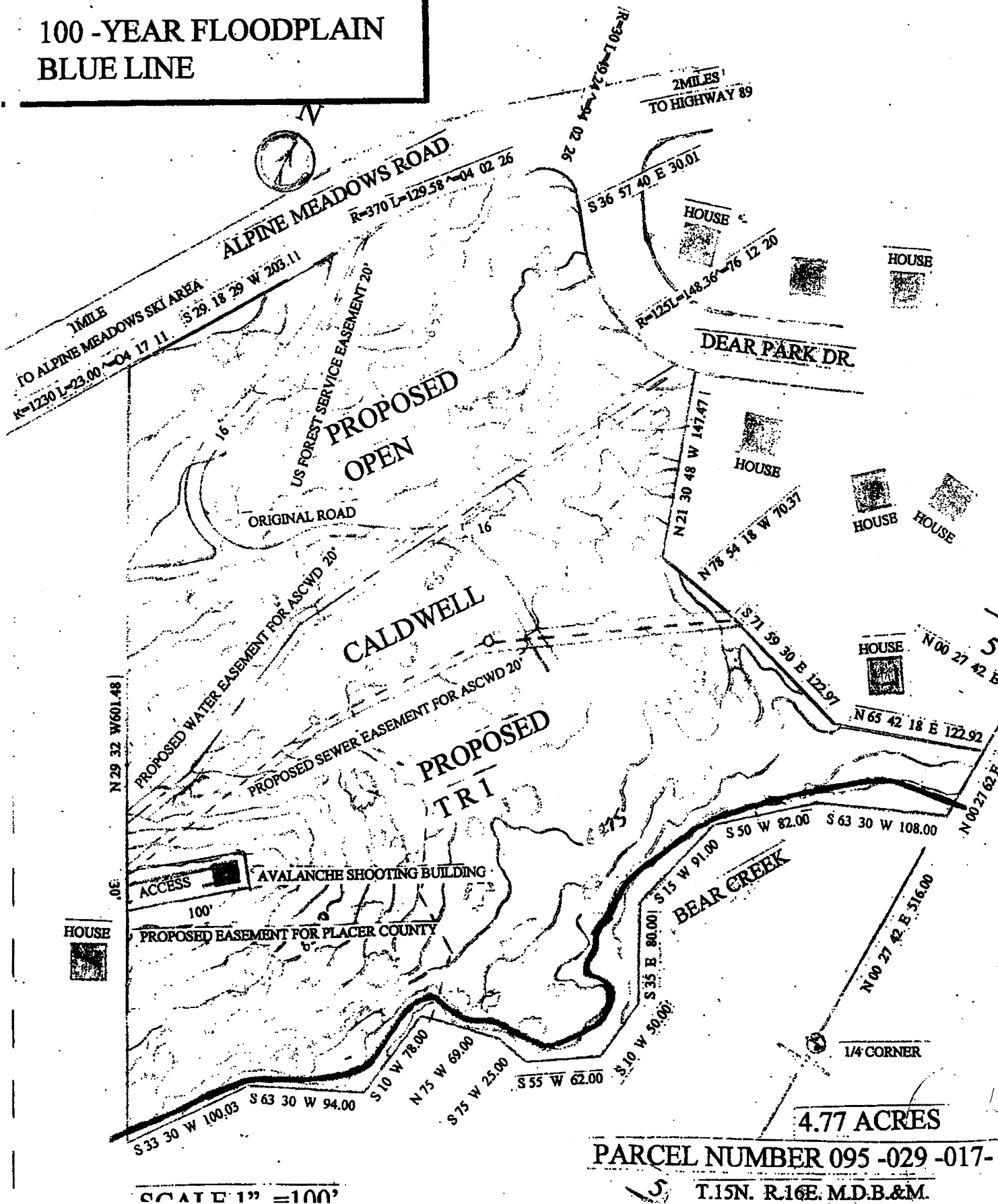
The comment period for this document closes on **September 3, 2009**. A copy of the Negative Declaration is available for public review at the County's web site <http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/NegDec.aspx>, Community Development Resource Agency public counter, and at the Tahoe City Public Library. Property owners within 300 feet of the subject site shall be notified by mail of the upcoming hearing before the Planning Commission. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3132, between the hours of 8:00 am and 5:00 pm, at 3091 County Center Drive, Auburn, CA 95603.

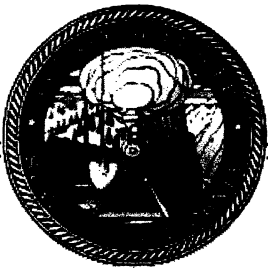
Newspaper: Sierra Sun

Publish Date: Friday, August 7, 2009

ATTACHMENT E

CALDWELL





COUNTY OF PLACER
Community Development Resource Agency

Michael J. Johnson, AICP
Agency Director

**ENVIRONMENTAL
COORDINATION
SERVICES**

Gina Langford, Coordinator

MITIGATED NEGATIVE DECLARATION

In accordance with Placer County ordinances regarding implementation of the California Environmental Quality Act, Placer County has conducted an Initial Study to determine whether the following project may have a significant adverse effect on the environment, and on the basis of that study hereby finds:

- ☐ The proposed project will not have a significant adverse effect on the environment; therefore, it does not require the preparation of an Environmental Impact Report and this **Negative Declaration** has been prepared.
- ☒ Although the proposed project could have a significant adverse effect on the environment, there will not be a significant adverse effect in this case because the project has incorporated specific provisions to reduce impacts to a less than significant level and/or the mitigation measures described herein have been added to the project. A **Mitigated Negative Declaration** has thus been prepared.

The environmental documents, which constitute the Initial Study and provide the basis and reasons for this determination are attached and/or referenced herein and are hereby made a part of this document.

PROJECT INFORMATION

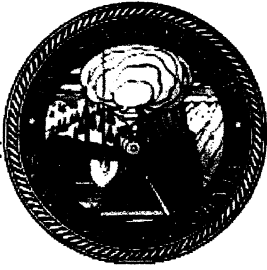
Title: Caldwell Rezone	Plus# PREA T20080154
Description: The project proposes a Rezone to change the parcel from an Open Space designation to Residential Single Family, and an Appeal to remove the property from a County designated Avalanche Area.	
Location: Southwest Corner of Deer Park Drive and Alpine Meadows Road, Alpine Meadows, Placer County	
Project Owner/Applicant: Troy Caldwell, PO Box 1784, Tahoe City, CA 96145, 530-583-5761	
County Contact Person: Steve Buelna	530-581-6285

PUBLIC NOTICE

The comment period for this document closes on **September 3, 2009**. A copy of the Negative Declaration is available for public review at the County's web site (<http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvc/EnvDocs/NegDec.aspx>), Community Development Resource Agency public counter, and at the Tahoe City Public Library. Property owners within 300 feet of the subject site shall be notified by mail of the upcoming hearing before the Board of Supervisors. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3075 between the hours of 8:00 am and 5:00 pm at 3091 County Center Drive, Auburn, CA 95603, or at Tahoe Division Office, 565 West Lake Blvd., Tahoe City, CA 96145

If you wish to appeal the appropriateness or adequacy of this document, address your written comments to our finding that the project will not have a significant adverse effect on the environment: (1) identify the environmental effect(s), why they would occur, and why they would be significant, and (2) suggest any mitigation measures which you believe would eliminate or reduce the effect to an acceptable level. Regarding item (1) above, explain the basis for your comments and submit any supporting data or references. Refer to Section 18.32 of the Placer County Code for important information regarding the timely filing of appeals.





COUNTY OF PLACER
Community Development Resource Agency

Michael Johnson, AICP
Agency Director

**ENVIRONMENTAL
COORDINATION
SERVICES**

Gina Langford, Coordinator

3091 County Center Drive, Suite 190 • Auburn • California 95603 • 530-745-3132 • fax 530-745-3003 • www.placer.ca.gov/planning

INITIAL STUDY & CHECKLIST

This Initial Study has been prepared to identify and assess the anticipated environmental impacts of the following described project application. The document may rely on previous environmental documents (see Section C) and site-specific studies (see Section I) prepared to address in detail the effects or impacts associated with the project.

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (14 CCR 15000 et seq.) CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects.

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to prepare an EIR, use a previously-prepared EIR and supplement that EIR, or prepare a Subsequent EIR to analyze the project at hand. If the agency finds no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, a Negative Declaration shall be prepared. If in the course of analysis, the agency recognizes that the project may have a significant impact on the environment, but that by incorporating specific mitigation measures the impact will be reduced to a less than significant effect, a Mitigated Negative Declaration shall be prepared.

A. BACKGROUND:

Project Title: Caldwell Rezone	Plus# PREA T20080154
Entitlements: Rezone, Avalanche Appeal	
Site Area: 4.77 acres	APN: 095-290-017
Location: Southwest Corner of Deer Park Drive and Alpine Meadows Road in the Alpine Meadows area.	

Project Description:

The applicant is requesting approval of a Rezone to change the parcel from an Open Space designation to Residential Single Family and an Appeal to remove the property from a County designated Avalanche Area. With the approval of such entitlements, the following would be permitted:

- Construction of a single family residence
- Creation of an easement for access to the avalanche shooting building located on the site.

Project Site:

The subject property is bordered on two sides by roadways and Bear Creek is located along the southern property line. This approximately five acre site contains a steep down slope towards Bear Creek. The site contains relatively dense vegetation consisting primarily of mixed conifers. The western portion of the property contains a small building used for avalanche control. From this building a charge is shot from the Caldwell site across Alpine Meadows Road. Upon impact in the snow on the north side of Alpine Meadows Road, the charge detonates such that an avalanche might occur while the roadway is closed, reducing the potential for placing persons in harm's way. Currently the project site is also designated as a Potential Avalanche Hazard Area (PAHA).

B. ENVIRONMENTAL SETTING:

Location	Zoning	General Plan/Community Plan	Existing Conditions and Improvements
Site	Open Space	Alpine Meadows	Undeveloped with exception of avalanche building in the western portion of property
North	same as project site	same as project site	Undeveloped
South	Residential Single-Family	same as project site	Undeveloped – Bear Creek
East	Residential Single-Family	same as project site	Single Family Dwellings
West	Residential Single-Family	same as project site	Single Family Dwellings

C. PREVIOUS ENVIRONMENTAL DOCUMENT:

The County has determined that an Initial Study shall be prepared in order to determine whether the potential exists for unmitigatable impacts resulting from the proposed project. Relevant analysis from the County-wide General Plan and Community Plan Certified EIRs, and other project-specific studies and reports that have been generated to date, were used as the database for the Initial Study. The decision to prepare the Initial Study utilizing the analysis contained in the General Plan and Specific Plan Certified EIRs, and project-specific analysis summarized herein, is sustained by Sections 15168 and 15183 of the CEQA Guidelines.

Section 15168 relating to Program EIRs indicates that where subsequent activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity, to determine whether the environmental effects of the operation were covered in the earlier Program EIR. A Program EIR is intended to provide the basis in an Initial Study for determining whether the later activity may have any significant effects. It will also be incorporated by reference to address regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.

The following documents serve as Program-level EIRs from which incorporation by reference will occur:

- ➔ Placer County General Plan EIR
- ➔ Alpine Meadows Community Plan EIR

Section 15183 states that “projects which are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as may be necessary to examine whether there are project-specific significant effects which are peculiar to the project or site.” Thus, if an impact is not peculiar to the project or site, and it has been addressed as a significant effect in the prior EIR, or will be substantially mitigated by the imposition of uniformly applied development policies or standards, then additional environmental documentation need not be prepared for the project solely on the basis of that impact.

The above stated documents are available for review Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division Office, 565 West Lake Blvd., Tahoe City, CA 96145.

D. EVALUATION OF ENVIRONMENTAL IMPACTS:

The Initial Study checklist recommended by the State of California Environmental Quality Act (CEQA) Guidelines is used to determine potential impacts of the proposed project on the physical environment. The checklist provides a list of questions concerning a comprehensive array of environmental issue areas potentially affected by the project (see CEQA Guidelines, Appendix G). Explanations to answers are provided in a discussion for each section of questions as follows:

- a) A brief explanation is required for all answers including “No Impact” answers.
- b) “Less Than Significant Impact” applies where the project’s impacts are insubstantial and do not require any mitigation to reduce impacts.
- c) “Less Than Significant with Mitigation Measures” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The County, as lead agency, must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from earlier analyses may be cross-referenced).

- d) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- e) All answers must take account of the entire action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts [CEQA Guidelines, Section 15063(a)(1)].
- f) Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration [CEQA Guidelines, Section 15063(c)(3)(D)]. A brief discussion should be attached addressing the following:
 - ➔ **Earlier analyses used** – Identify earlier analyses and state where they are available for review.
 - ➔ **Impacts adequately addressed** – Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards. Also, state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - ➔ **Mitigation measures** – For effects that are checked as "Less Than Significant with Mitigation Measures," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- g) References to information sources for potential impacts (i.e. General Plans/Community Plans, zoning ordinances) should be incorporated into the checklist. Reference to a previously-prepared or outside document should include a reference to the pages or chapters where the statement is substantiated. A source list should be attached and other sources used, or individuals contacted, should be cited in the discussion.

I. AESTHETICS – Would the project:

1. Have a substantial adverse effect on a scenic vista? (PLN)				X
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (PLN)				X
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (PLN)			X	
4. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (PLN)			X	

Discussion- Item I-1:

The project site is not located within a scenic vista. The proposed project would result in a new single family dwelling on a currently undeveloped site (with the exception of the avalanche shooting building). The adjacent properties to the east and south of the property contain residential improvements.

Discussion- Item I-2:

The project site is not located near nor is it visible from a scenic highway

Discussion- Item I-3:

The proposed project would not result in a significant impact on the existing visual character of this area as the project is consistent with the development surrounding the project area, south of Alpine Meadows Road. No mitigation measures are required.

Discussion- Item I-4:

It is anticipated that the project will include some lighting, typical of a single family dwelling. Based on the larger parcel size, the larger than normal setback distance from the roadways and adjacent properties, and the developed nature of the parcels surrounding the project, the lighting impacts of this project will be less than significant. No mitigation measures are required.

II. AGRICULTURAL RESOURCE – Would the project:

1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (PLN)				X
2. Conflict with General Plan or other policies regarding land use buffers for agricultural operations? (PLN)				X
3. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (PLN)				X
4. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland (including livestock grazing) to non-agricultural use? (PLN)				X

Discussion- All Items:

The project site will not convert any important farmland as the project site is currently zoned Open Space and is predominately surrounded by residential lands. The proposed project is not located in proximity to any farmland or agricultural uses and will not result in the conversion of farmland. Accordingly, the proposed rezoning and potential single family dwelling will not result in any impact upon timber or agricultural resources in this area.

III. AIR QUALITY – Would the project:

1. Conflict with or obstruct implementation of the applicable air quality plan? (APCD)			X	
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (APCD)			X	
3. Result in a cumulatively considerable net increase of any criteria for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (APCD)			X	
4. Expose sensitive receptors to substantial pollutant concentrations? (APCD)				X
5. Create objectionable odors affecting a substantial number of people? (APCD)				X

Discussion- Item III-1:

The proposed project is located within the Lake Tahoe Air Basin portion of Placer County. As the project related air pollutant emissions are minor, the proposed project will not conflict with the Placer County Air Quality Management Plan to remain in attainment status for the federal and state ambient air quality standards. No mitigation measures are required.

Discussion- Items III-2,3:

The proposed project is located in the Lake Tahoe Air Basin portion of Placer County. This area is designated as attainment for the federal and state ozone standard. Based on the analysis, the project related air pollutant emissions will be minor and the project will be below the District's threshold for construction and operation. Therefore, the proposed project would not have a significant impact on air quality. No mitigation measures are required.

Discussion- Items III-4,5:

Based on the analysis, the project will not expose sensitive receptors to substantial pollutant concentrations. In addition, the project would not create objectionable odors affecting a substantial number of people.

IV. BIOLOGICAL RESOURCES – Would the project:

1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service? (PLN)				X
2. Substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining				X

levels, threaten to eliminate a plant or animal community, substantially reduce the number of restrict the range of an endangered, rare, or threatened species? (PLN)				
3. Have a substantial adverse effect on the environment by converting oak woodlands? (PLN)				X
4. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations or by the California Department of Fish & Game or U.S. Fish & Wildlife Service? (PLN)				X
5. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (PLN)				X
6. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (PLN)				X
7. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (PLN)			X	
8. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (PLN)				X

Discussion- Items IV-1,2:

A Biological Report was prepared by Biorg in May 2007. This report also indicated that the project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service and will not reduce the habitat of a fish or wildlife species as the project.

Discussion- Item IV-3:

The project could remove up to five trees, however, these trees are not oak trees. Although the project proposal does not include detailed plans for the proposed residence, the general location of the building envelope is known and the result is that five trees will be impacted. The removal of these trees is addressed below in Discussion Item IV-7. The project will not impact any portion of a mixed oak woodland community.

Discussion- Item IV-4,5:

The Biological Report prepared by Biorg, May 2007 indicates that sensitive habitat such as wetlands were not present on the property. However, the project site is bound on the southern property line by Bear Creek. The proposed project improvements will not be located within the riparian area of this waterway, nor will the improvements be located within the setback requirement for this water course of 100 feet from centerline. Additionally, the project will not have impacts on waters subject to the Clean Water Act.

Discussion- Item IV-6:

The project site consists of a one acre homesite located within an approximately five acre parcel. It is not anticipated that the project will interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites as there are no known migration corridors within the impact area.

Discussion- Item IV-7:

The project may result in a maximum of five trees over six inches dbh being impacted as part of this project. Based on the project area (approximately five acres) and the abundance of trees on the site and the need for the thinning of trees in certain areas, the removal of no more than five trees as part of the site improvements will not require mitigation. The impacts from tree removal have been determined to be less than significant. No mitigation measures are required.

Discussion- Item IV-8:

The proposed project will not conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

V. CULTURAL RESOURCES – Would the project:

1. Substantially cause adverse change in the significance of a historical resource as defined in CEQA Guidelines, Section 15064.5? (PLN)				X
2. Substantially cause adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines, Section 15064.5? (PLN)		X		
3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (PLN)				X
4. Have the potential to cause a physical change, which would affect unique ethnic cultural values? (PLN)				X
5. Restrict existing religious or sacred uses within the potential impact area? (PLN)				X
6. Disturb any human remains, including those interred outside of formal cemeteries? (PLN)		X		

Discussion- Item V-1:

A records search was conducted for the subject property by North Central Information Center in May 2007. The results indicated that there is a low to moderate potential of identifying pre-historic archeological sites and historic-period cultural resources in the project area. Further archival and/or field study by a cultural resource professional was recommended. This resulted in the preparation of a Heritage Resource Study by Susan Lindstrom, PhD. (Archeologist) dated April 2009. Two areas of concern were evaluated, the potential for the historical Deer Park Springs lodge that may have been located on the site and the potential of the site to have significance to the Washoe Tribe. Deer Park Springs, a historic lodge that was constructed in the late 1890s, was known to be located in the general vicinity. Lindstrom's report arrived at the conclusion that the lodge and all associated activities were located on an adjacent parcel and were not located on the Caldwell property.

Discussion- Items V-2,6:

The proposed project is not anticipated to have any impact on a unique archeological resource. A record search did not reveal any other potential cultural resources. Based upon this information the Heritage Resource Study prepared by Susan Lindstrom (April 2009) focused its search on the location of the Deer Park Springs resort that was constructed in the late 1890s that had been located in the Alpine Meadows area. The results indicate that neither the lodge nor associated activities were to have occurred on the project site.

However, Lindstrom consulted with Darrel Cruz, the Tribal Historic Preservation Officer for the Washoe Tribe. The correspondence from Mr. Cruz included in the report supports Lindstrom's recommendation to allow the project to proceed provided that archeological monitoring be provided as a condition of the project approval. In addition, the following language that will be implemented as part of the project conditions and required on improvement plans, there will be mitigation required to ensure that impacts to any unknown resources will be less than significant.

"The Placer County Planning Department and Department of Museums must be contacted in the event of any archaeological find(s).

If the discovery consists of human remains, the Placer County Coroner and Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Department. A note to this effect will be provided on the Improvement Plans for the project.

Following a review of the new find and consultation with appropriate experts, if necessary, the authority to proceed may be accompanied by the addition of development requirements which provide protection of the site and/or additional mitigation measures necessary to address the unique or sensitive nature of the site."

Mitigation Measures- Items V-2,6:

MM V.1 Prior to submittal of Improvement Plans, the applicant shall provide written evidence to the Planning Department that a qualified archeologist has been retained by the applicant to observe grading activities and be present at the site during all site disturbance activities.

Discussion- Item V-3:

The site has no known potential to yield significant fossils. As such, the proposed project is expected to have no significant impact on paleontological resources. Although no mitigation measures are required, standard construction conditions will apply to this project and a note shall be placed on the improvement plans that indicate the following:

"If paleontological resources are discovered on-site, the applicant shall retain a qualified paleontologist to observe grading activities and salvage fossils as necessary. The paleontologist shall establish procedures for paleontological resource surveillance and shall establish, in cooperation with the project developer, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of fossils. If major paleontological resources are discovered, which require temporarily halting or redirecting of grading, the paleontologist shall report such findings to the project developer, and to the Placer County Department of Museums and Planning Department. The paleontologist shall determine appropriate actions, in cooperation with the project developer, which ensure proper exploration and/or salvage. Excavated finds shall be offered to a State-designated repository such as Museum of Paleontology, U.C. Berkeley, the California Academy of Sciences, or any other State-designated repository. Otherwise, the finds shall be offered to the Placer County Department of Museums for purposes of public education and interpretive displays. These actions, as well as final mitigation and disposition of the resources shall be subject to approval by the Department of Museums. The paleontologist shall submit a follow-up report to the Department of Museums and Planning Department which shall include the period of inspection, an analysis of the fossils found, and present repository of fossils".

Discussion- Item V-4:

The proposed project does not have the potential to cause a physical change that would affect known unique ethnic cultural values. The project site is not currently used in such a way as to sustain unique ethnic cultural values.

Discussion- Item V-5:

The proposed project will not restrict existing religious or sacred uses within the potential impact area, as the project site is not used for known religious or sacred uses. Furthermore, there is no evidence of existing religious or sacred uses on the site or the surrounding areas.

VI. GEOLOGY & SOILS – Would the project:

1. Expose people or structures to unstable earth conditions or changes in geologic substructures? (ESD)				X
2. Result in significant disruptions, displacements, compaction or overcrowding of the soil? (ESD)				X
3. Result in substantial change in topography or ground surface relief features? (ESD)				X
4. Result in the destruction, covering or modification of any unique geologic or physical features? (ESD)				X
5. Result in any significant increase in wind or water erosion of soils, either on or off the site? (ESD)				X
6. Result in changes in deposition or erosion or changes in siltation which may modify the channel of a river, stream, or lake? (ESD)			X	
7. Result in exposure of people or property to geologic and geomorphological (i.e. Avalanches) hazards such as earthquakes, landslides, mudslides, ground failure, or similar		X		

hazards? (ESD)				
8. Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse? (ESD)				X
9. Be located on expansive soils, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property? (ESD)				X

Discussion- Items VI-1,2,3,4,5,6,8,9:

The project proposal would result in the rezoning of this parcel from Open Space to Single Family Residential. One additional residential home site would be developed as a result of this rezone. The development of one home site on this parcel would not expose people or structures to unstable earth conditions or changes in geologic substructures. There will be no substantial change in site topography. There are no identified unique geologic or physical features at the site that will be destroyed, covered, or modified by the project. The grading activities for one building pad and one driveway along an existing unimproved road alignment would result in changes in potential deposition, erosion or siltation to Bear Creek that is considered less than significant given the project proposal. The site is located within Seismic Zone 3 and ground shaking will occur during seismic events. One residential structure would ultimately be constructed as a part of the project. The structure will be built according to the current edition of the California Building Code, which includes seismic design criteria, so the likelihood of severe damage due to ground shaking is minimal. According to limited information in the Soil Survey of Placer County (United States Department of Agriculture Soil Conservation Service in cooperation with University of California Agriculture Experiment Station) it appears that expansive soils are not present at this location. No mitigation measures are required.

Discussion- Item VI-7:

The project site is currently located in a Potential Avalanche Hazard Area (PAHA). As part of this project, the applicant has filed for an Appeal of this designation. The submittal includes a report prepared by Dick Penniman that suggests a reclassification of the property based on elevation to Moderate and Low Hazard areas. The recommendation also suggested that the project should be conditioned such that an engineer certify that any structure be designed to withstand the force of an avalanche.

Mitigation Measure- Item VI-7:

MM VI.1 A California licensed architect or engineer experienced in snow design, in conjunction with a recognized avalanche expert or team of experts, shall certify that the proposed structure will be safe under the anticipated loads and conditions of an avalanche prior to submitting for a Building Permit.

VII. HAZARDS & HAZARDOUS MATERIALS – Would the project:

1. Create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous or acutely hazardous materials? (EHS)			X	
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (EHS)			X	
3. Emit hazardous emissions, substances, or waste within one-quarter mile of an existing or proposed school? (APCD)				X
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (EHS)			X	

5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (PLN)				X
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing in the project area? (PLN)				X
7. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (PLN)			X	
8. Create any health hazard or potential health hazard? (EHS)			X	
9. Expose people to existing sources of potential health hazards? (EHS)			X	

Discussion- Items VII-1,2:

The use of hazardous substances during normal construction activities is expected to be limited in nature, and will be subject to standard handling and storage requirements.

Avalanche control activities have been conducted on the property since 1985; hazardous materials used during avalanche shooting include explosives and compressed gas cylinders. The avalanche shooting procedure is contracted to Alpine Meadows Ski Area. Hazardous materials used during this process are stored at Alpine Meadows Ski Area and transported by Alpine Meadows to the property when avalanche control is necessary. A Hazardous Materials Business Plan for Alpine Meadows is on file with Placer County Environmental Health. The project does not propose to store hazardous materials associated with avalanche shooting at the property. Accordingly, impacts related to the release of hazardous substances through routine handling, transport, use, disposal or upset and accident conditions involving hazardous materials are less than significant. No mitigation measures are required.

Discussion- Item VII-3:

Based upon the analysis, the project is not expected to emit hazardous emissions.

Discussion- Items VII-4,9:

A Phase I Environmental Site Assessment, dated May 13, 2008, was conducted for this property by BIORG. The Environmental Site Assessment states that the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The Environmental Site Assessment indicates that the Deer Park Inn was located in the vicinity of the property from 1888-1928 and concludes that the property is not currently used and has not historically been used for purposes that would have resulted in the storage and/or use of hazardous materials at the property. However, an avalanche shooting structure has been located and operated on the property since 1986 and is proposed to continue use as a part of the project application. While hazardous materials, including explosives and compressed gas cylinders, are used as a part of this process, these materials are not stored on the property. Therefore, impacts related to prior uses of the property are less than significant. No mitigation measures are required.

Discussion- Items VII-5,6:

The project is located approximately five to six miles from the Truckee Airport. Accordingly, the project will not conflict with nor will it place persons in harm's way of any airport operations.

Discussion- Item VII-7:

Although the subject property is relatively densely forested, based on the project's location in relation to other developed properties, it is not anticipated that this project would result in a less than significant impact as it relates to the potential for wildland fires. The project site appears on the CAL Fire "Fire Hazard Severity Zones in SRA (State Responsibility Area)" map. The area of the project is mapped as a "Very High" fire danger. The surrounding area is moderately forested and subject to destruction by wildfire. The project site is slightly more forested than the surrounding area to the south, east, and west due to the developed nature of those parcels. The vegetation of this site is similar to the undeveloped parcel to the north. The project will be required to conform to the current fire safe building codes including the Placer County Fire Safe ordinance and section 4290 of the California Public Resource Code. The project will also require a review and "will serve" letter from the North Tahoe Fire Protection District.

The required standards and approvals will ensure that the impact is less than significant. No mitigation measures are required.

Discussion- Item VII-8:

Common problems associated with overwatering of landscaping and residential irrigation have the potential to breed mosquitoes. Mosquito breeding is not expected to significantly impact the project. As a condition of the project, it is recommended that drip irrigation be used for landscaping areas. No mitigation measures are required

VII. HYDROLOGY & WATER QUALITY – Would the project:

1. Violate any potable water quality standards? (EHS)				X
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lessening of local groundwater supplies (i.e. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (EHS)			X	
3. Substantially alter the existing drainage pattern of the site or area? (ESD)				X
4. Increase the rate or amount of surface runoff? (ESD)			X	
5. Create or contribute runoff water which would include substantial additional sources of polluted water? (ESD)		X		
6. Otherwise substantially degrade surface water quality?(ESD)		X		
7. Otherwise substantially degrade ground water quality? (EHS)			X	
8. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map? (ESD)				X
9. Place within a 100-year flood hazard area improvements which would impede or redirect flood flows? (ESD)				X
10. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (ESD)				X
11. Alter the direction or rate of flow of groundwater? (EHS)				X
12. Impact the watershed of important surface water resources, including but not limited to Lake Tahoe, Folsom Lake, Hell Hole Reservoir, Rock Creek Reservoir, Sugar Pine Reservoir, French Meadows Reservoir, Combie Lake, and Rollins Lake? (EHS, ESD)		X		

Discussion- Item VIII-1:

The project will not rely on groundwater wells as a potable water source. Potable water for the project will be treated water from Alpine Springs County Water District. Therefore, the project will not violate water quality standards with respect to potable water.

Discussion- Item VIII-2:

The project will not utilize groundwater. The project consists of an existing structure that houses an avalanche shooting device and proposes a new residential building that will create an impermeable surface on a portion of the property. This impermeable surface may slightly reduce the rate of groundwater recharge. However, a significant portion of the property will remain unimproved and the impact to groundwater recharge is less than significant. Therefore, the project will not substantially deplete groundwater supplies or interfere with groundwater recharge. No mitigation measures are required.

Discussion- Items VIII-3,4,8,9,10:

The project proposal would result in the rezoning of this parcel from Open Space to Single Family Residential. One residential home site would be developed as a result of approval of this requested rezone. An existing road alignment that enters the site from Alpine Meadows Road would be improved to provide a County standard road encroachment and driveway access to the building site on the lower southern portion of the site. Some grading is anticipated for the driveway to meet the servicing fire protection district's requirements for maximum driveway slope, radii, and turnaround points and the driveway would be paved. The additional pavement and impervious surfaces created by the development of this residential site would not significantly alter drainage patterns or increase the amount and rate of runoff.

The project site is not within a 100-year flood hazard area as defined and mapped by the Federal Emergency Management Agency. No improvements are proposed within a 100-year flood hazard area and no flood flows would be impeded or redirected. The project location is elevated above areas that are subject to flooding, and therefore there are no impacts due to exposing people or structures to a significant risk or loss, injury, or death, including flooding as a result of failure of a levee or dam. No mitigation measures are required.

Discussion- Items VIII-5,6,12:

The rezone would allow for the construction of one single family residential home site on the lower southern portion of the subject parcel. Bear Creek flows along the southern project boundary line. The existing unimproved roadway that enters the site from Alpine Meadows Road will be improved with a County standard driveway encroachment and paved driveway to meet the servicing fire protection district's requirements for maximum grade, radii, and turning points. During construction, the building pad preparation and driveway improvements will potentially cause erosion, sediment, and water quality impacts to the Bear Creek watershed. Erosion potential and water quality impacts are always present and occur when protective vegetative cover is removed and soils are disturbed. This disruption of soils on the site has the potential to result in significant increases in erosion of soils both on and offsite. The proposed project's impacts associated with soil erosion will be mitigated to a less than significant level by implementing the following mitigation measures:

Mitigation Measures- Items VIII-5,6,12:

MM VIII.1 Water quality Best Management Practices shall be designed according to the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction and for New Development/Redevelopment (and/or other similar source as approved by the Engineering and Surveying Department.

Construction (temporary) Best Management Practices for the project include, but are not limited to: Fiber Rolls (SE-5), Hydroseeding (EC-4), Stabilized Construction Entrance (LDM Plate C-4), Silt Fence (SE-1), straw bales, revegetation techniques, dust control measures, concrete truck washout areas, and limiting the soil disturbance.

MM VIII.2 In order to protect site resources and water quality, no grading activities of any kind may take place within the 100-year flood plain of Bear Creek.

Discussion- Item VIII-7:

The project could result in increased stormwater runoff. Standard Best Management Practices will be used and as such, the potential for the project to violate any water quality standards is less than significant. No mitigation measures are required.

Discussion- Item VIII-11:

The project will not utilize groundwater and will not alter the direction or rate of flow of groundwater.

IX. LAND USE & PLANNING – Would the project:

1. Physically divide an established community? (PLN)				X
2. Conflict with General Plan/Community Plan/Specific Plan designations or zoning, or Plan policies adopted for the purpose of avoiding or mitigating an environmental effect? (EHS, ESD, PLN)		X		X
3. Conflict with any applicable habitat conservation plan or natural community conservation plan or other County policies, plans, or regulations adopted for purposes of avoiding or mitigating environmental effects? (PLN)				X
4. Result in the development of incompatible uses and/or the creation of land use conflicts? (PLN)		X		
5. Affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses)? (PLN)				X
6. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (PLN)				X
7. Result in a substantial alteration of the present or planned land use of an area? (PLN)			X	
8. Cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration? (PLN)				X

Discussion- Item IX-1:

The project consists of a rezone to allow the construction of one single-family residence on a property that was zoned as open space. The location of the parcel precludes any division to an established community.

Discussion- Items IX-2,4:

The project proposes a change in the land designation from Open Space to Residential Single Family. Currently, the proposal conflicts with the land use designation contained in the Alpine Meadows General Plan. The 1968 Alpine Meadows General Plan identifies the subject parcel as Community Recreation, Green Belt, Park, and Open Space. The applicant, through a General Plan Amendment, is proposing to change the designation to Single Family Residential, which would be consistent with adjacent properties.

The General Plan designation may have been used to disallow residences on the property due to avalanche hazards as the property is within an area that has been designated as a Potential Avalanche Hazard Area (PAHA). The applicant has applied for an Avalanche Appeal. A report was prepared by Dick Penniman in August 2005 which challenged this designation. The Avalanche Hazard Study recommends the site be reclassified primarily based on elevation ranges at the site. The result of this reclassification would place most of the parcel in a low hazard area and a portion of it would be within a moderate avalanche hazard area. The Avalanche Ordinance would allow for construction of a residence in these areas. The recommendation provided by Penniman is consistent with this Ordinance in that structures are allowed to be constructed if they are engineered to withstand the force of an avalanche.

The information contained within the report may provide evidence that the land use designation should be changed. However, this determination would need to be evaluated and approved by the Placer County Board of Supervisors. If the Board, after reviewing all relevant information, approves the change in land use designation then this project would be consistent with the General Plan. Mitigation measures are required and will prevent significant impacts from occurring as a result of the proposed project.

Mitigation Measures- Item IX-2,4:

MM IX.1 The applicant shall apply for, and receive the approval of, a General Plan Amendment to change the designation to Single Family Residential. This process will require approval from Placer County who will conduct a review of the subject property and land uses within the area to determine whether or not the approval would be consistent with the intent of the General Plan.

MM IX.2 A California licensed architect or engineer experienced in snow design, in conjunction with a recognized avalanche expert or team of experts, shall certify that the proposed structure will be safe under the anticipated loads and conditions of an avalanche prior to submitting for a Building Permit.

Discussion- Item IX-3:

The project would not conflict with any applicable habitat conservation plan or natural community conservation plan or other County policies, plans, or regulations adopted for purposes of avoiding or mitigating environmental effects.

Discussion- Items IX-5,6,8:

The proposed project will not have an impact on agricultural or timber resources in the area as there will be minimal tree removal associated with this project and this site has not been set aside, nor is it suitable for this agricultural operation. The project will not disrupt or divide a community, nor will it cause economic or social changes resulting in significant adverse physical changes as the proposed use is consistent with the uses of the surrounding properties.

Discussion- Item IX-7:

Although the project site is zoned open space and the rezone is requesting to change this to Single-family Residential, the original designation may have been due to the fact that it is within an avalanche area. Typically, the County would not allow residences to be constructed within this zone even though the avalanche ordinance allows residential construction if evidence is presented that suggests a structure could be built to withstand the force of an avalanche. The Placer County hearing bodies will need to review the background information to determine whether or not the Open Space designation is still applicable. In either case, the addition of one residence within an area that was zoned open space will not significantly alter the present or planned land use of the area, especially, if the Open Space zoning was applied due to the concern of the project site being within an avalanche area. No mitigation measures are required.

X. MINERAL RESOURCES – Would the project result in:

1. The loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (PLN)				X
2. The loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (PLN)				X

Discussion- All Items:

The proposed project will not result in the loss of available mineral resources or impact a mineral recovery site.

XI. NOISE – Would the project result in:

1. Exposure of persons to or generation of noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies? (PLN)			X	

2. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN)			X	
3. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN)			X	
4. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (PLN)				X
5. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (PLN)				X

Discussion- Item XI-1:

The activity of the "avalanche shooting building" involves launching of a charge from the project site. The noise consultant indicated that the sound emanating from this building would be most accurately described as an air gun type of sound. The majority of sound generated is from the location at which the charge is directed at. The practice of this activity involves alerting those residing in the vicinity prior to the avalanche control. Due to the infrequent nature of the activity and the warning in place, the noise impact will be less than significant.

Additionally, the addition of one new residence in this area will not result in a significant noise impact to the surrounding properties. No mitigation measures are required.

Discussion- Item XI-2:

The proposed project will not result in a permanent increase to the ambient noise levels, as the noise impacts will be limited to the temporary construction activity and the typical noise associated with a residence. No mitigation measures are required.

Discussion- Item XI-3:

The proposed project may result in a short term increase in the noise levels from construction activities for the residents surrounding this project. With the construction hour limitations (six a.m. and eight p.m. Monday through Friday and between eight a.m. and eight p.m. Saturday and Sunday) imposed by the Placer County Noise Ordinance, it will not result in a significant impact. No mitigation measures are required.

Discussion- Item XI-4:

The project is not located within an airport land use plan.

Discussion- Item XI-5:

The project is not located within the vicinity of a private airstrip.

XII. POPULATION & HOUSING – Would the project:

1. Induce substantial population growth in an area, either directly (i.e. by proposing new homes and businesses) or indirectly (i.e. through extension of roads or other infrastructure)? (PLN)			X	
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (PLN)			X	

Discussion- All Items:

The proposed project will result in the creation of exactly one new residence in this area. This is not considered a significant impact on population growth or the housing for this area. No mitigation measures are required.

XIII. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental services and/or facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

1. Fire protection? (ESD, PLN)			X	
2. Sheriff protection? (ESD, PLN)			X	
3. Schools? (ESD, PLN)			X	
4. Maintenance of public facilities, including roads? (ESD, PLN)			X	
5. Other governmental services? (ESD, PLN)			X	

Discussion- All Items:

The proposed project will add one new residence to the area. This will have a negligible impact on any services and will not create physical impacts associated with expansion or construction of new facilities. No mitigation measures are required.

XIV. RECREATION – Would the project result in:

1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (PLN)			X	
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (PLN)			X	

Discussion- All Items:

The proposed project does result in the introduction of one new dwelling unit to this area. Accordingly it will result in an impact to the recreational opportunities for this area. The increase of one dwelling unit will not result in a significant impact on the recreational facilities in this area. No mitigation measures are required.

XV. TRANSPORTATION & TRAFFIC – Would the project result in:

1. An increase in traffic which may be substantial in relation to the existing and/or planned future year traffic load and capacity of the roadway system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio			X	
--	--	--	---	--

on roads, or congestion at intersections)? (ESD)				
2. Exceeding, either individually or cumulatively, a level of service standard established by the County General Plan and/or Community Plan for roads affected by project traffic? (ESD)				X
3. Increased impacts to vehicle safety due to roadway design features (i.e. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (ESD)				X
4. Inadequate emergency access or access to nearby uses? (ESD)				X
5. Insufficient parking capacity onsite or offsite? (ESD, PLN)				X
6. Hazards or barriers for pedestrians or bicyclists? (ESD)				X
7. Conflicts with adopted policies supporting alternative transportation (i.e. bus turnouts, bicycle racks)? (ESD)				X
8. Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (ESD)				X

Discussion- Item XV-1:

The project proposal would result in the rezoning of this parcel from Open Space to Single Family Residential. As a result, one additional home site will add approximately ten new average daily trips, with approximately one PM peak hour trip to local area roadways. The proposed project creates site-specific impacts on local transportation systems that are less than significant when analyzed against the existing baseline traffic conditions and roadway segment/ intersection existing level of service, however, the cumulative effect of an increase in traffic has the potential to create significant impacts to the area's transportation system. Article 15.28.010 of the Placer County Code establishes a road network Capital Improvement Program. The project is subject to this code and, therefore, required to pay traffic impact fees to fund the Capital Improvement Program for area roadway improvements. With the payment of traffic mitigation fees for the ultimate construction of the Capital Improvement Program improvements, the project's traffic impacts are less than significant. No mitigation measures are required.

Discussion- Items XV-2,3,4,5,6,7,8:

The project proposal would result in the rezoning of this parcel from Open Space to Single Family Residential. An existing road alignment that enters the site from Alpine Meadows Road would be improved to provide a County standard road encroachment and driveway access to the building site on the lower southern portion of the site. One future additional home site created by this rezone request would not exceed the level of service standard, impact vehicle safety due to roadway design features, create inadequate emergency access or access to nearby uses, cause insufficient parking capacity onsite or offsite, create hazards or barriers to pedestrians or bicyclists, conflict with alternative transportation policies, or result in a change in air traffic patterns.

XVI. UTILITIES & SERVICE SYSTEMS – Would the project:

1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (ESD)				X
2. Require or result in the construction of new water or wastewater delivery, collection or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (EHS, ESD)				X

3. Require or result in the construction of new onsite sewage systems? (EHS)				X
4. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (ESD)				X
5. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (EHS)			X	
6. Require sewer service that may not be available by the area's waste water treatment provider? (EHS, ESD)			X	
7. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs in compliance with all applicable laws? (EHS)		X		

Discussion- Items XVI-1,4:

The project proposal would result in the rezoning of this parcel from Open Space to Single Family Residential. One additional single family residence and access driveway could be constructed as a result of this rezone. The new residence will connect to existing water and sewer services that are located in the vicinity. The project proposes utilizing Alpine Springs County Water District for water and sewer services. The project will generate a negligible increase in the demand for these utilities and service systems. The applicant will be required to obtain standard "Will Serve" letters from all service providers. The project, as proposed, will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Discussion- Item XVI-2:

The project will not require or result in the construction of new water delivery, collection or treatment facilities or expansion of existing facilities, the construction of which would result in significant environmental effects.

Discussion- Item XVI-3:

The project will be served by public sewer and will not result in the construction of new onsite sewage disposal systems.

Discussion- Items XVI-5,6:

Treated water service and sewer service for the project will be provided by Alpine Springs County Water District. Alpine Springs County Water District has indicated their requirements to serve the project. Typical requirements include payment of fees, facility agreements, and installation of piping either onsite or offsite. These requirements are routine in nature and do not represent significant impacts. Typical project conditions of approval require submission of "Will-Serve" letters from the agency. No mitigation measures are required.

Discussion- Item XVI-7:

The proposed project will be served by the Eastern Regional Sanitary Landfill and Tahoe Truckee Sierra Disposal. This landfill has sufficient permitted capacity to accommodate the project's solid waste disposal needs. Tahoe Truckee Sierra Disposal has indicated their requirements to serve the project, these requirements are indicated below.

Mitigation Measures- Item XVI-7:

MM XVI.1 In order to minimize potential health hazards related to solid waste removal, the project will comply with Placer County and Tahoe Truckee Sierra Disposal requirements regarding solid waste enclosures and bear bins. Bear sheds should be placed no closer than 15 feet and not farther than 20 feet from the County maintained road.

E. MANDATORY FINDINGS OF SIGNIFICANCE:

1. Does the project have the potential to degrade the quality of the environment, substantially impact biological resources, or eliminate important examples of the major periods of California history or prehistory?		X
2. Does the project have the potential for impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)		X
3. Does the project have environmental effects, which will cause the potential for substantial adverse effects on human beings, either directly or indirectly?		X

F. OTHER RESPONSIBLE AND TRUSTEE AGENCIES whose approval is required:

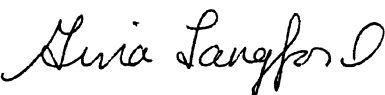
<input type="checkbox"/> California Department of Fish and Game	<input type="checkbox"/> Local Agency Formation Commission (LAFCO)
<input type="checkbox"/> California Department of Forestry	<input type="checkbox"/> National Marine Fisheries Service
<input type="checkbox"/> California Department of Health Services	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> California Department of Toxic Substances	<input type="checkbox"/> U.S. Army Corp of Engineers
<input type="checkbox"/> California Department of Transportation	<input type="checkbox"/> U.S. Fish and Wildlife Service
<input type="checkbox"/> California Integrated Waste Management Board	<input type="checkbox"/> _____
<input checked="" type="checkbox"/> California Regional Water Quality Control Board	<input type="checkbox"/> _____

G. DETERMINATION – The Environmental Review Committee finds that:

Although the proposed project **COULD** have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because the mitigation measures described herein have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

H. ENVIRONMENTAL REVIEW COMMITTEE (Persons/Departments consulted):

Planning Department, Steve Buelna, Chairperson
 Engineering and Surveying Department, Sarah K. Gillmore
 Engineering and Surveying Department, Wastewater, Janelle Fortner
 Department of Public Works, Transportation
 Environmental Health Services, Jill Kearney
 Air Pollution Control District, Yu-Shuo Chang
 Flood Control Districts, Andrew Darrow
 Facility Services, Parks, Andy Fisher
 Placer County Fire/CDF, Bob Eicholtz/Brad Albertazzi

Signature 
 Gina Langford, Environmental Coordinator

Date July 14, 2009

I. SUPPORTING INFORMATION SOURCES:

The following public documents were utilized and site-specific studies prepared to evaluate in detail the effects or impacts associated with the project. This information is available for public review, Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, Environmental Coordination Services, 3091 County Center Drive, Suite 190, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division Office, 565 West Lake Blvd., Tahoe City, CA 96145.

County Documents	<input checked="" type="checkbox"/> Community Plan	
	<input type="checkbox"/> Environmental Review Ordinance	
	<input checked="" type="checkbox"/> General Plan	
	<input type="checkbox"/> Grading Ordinance	
	<input type="checkbox"/> Land Development Manual	
	<input type="checkbox"/> Land Division Ordinance	
	<input type="checkbox"/> Stormwater Management Manual	
	<input type="checkbox"/> Tree Ordinance	
	<input type="checkbox"/> _____	
Trustee Agency Documents	<input type="checkbox"/> Department of Toxic Substances Control	
	<input type="checkbox"/> _____	
	<input type="checkbox"/> _____	
Site-Specific Studies	Planning Department	<input type="checkbox"/> Biological Study
		<input checked="" type="checkbox"/> Heritage Resource Study, dated April 2009
		<input type="checkbox"/> Cultural Resources Records Search
		<input type="checkbox"/> Lighting & Photometric Plan
		<input type="checkbox"/> Paleontological Survey
		<input type="checkbox"/> Tree Survey and Arborist Report
		<input type="checkbox"/> Visual Impact Analysis
		<input type="checkbox"/> Wetland Delineation
		<input checked="" type="checkbox"/> Avalanche Hazard Study, dated August 2005
		<input type="checkbox"/> _____
		<input type="checkbox"/> _____
	Engineering & Surveying Department, Flood Control District	<input type="checkbox"/> Phasing Plan
		<input type="checkbox"/> Preliminary Grading Plan
		<input type="checkbox"/> Preliminary Geotechnical Report
		<input type="checkbox"/> Preliminary Drainage Report
		<input type="checkbox"/> Stormwater and Surface Water Quality BMP Plan
		<input type="checkbox"/> Traffic Study
		<input type="checkbox"/> Sewer Pipeline Capacity Analysis
		<input type="checkbox"/> Placer County Commercial/Industrial Waste Survey (where public sewer is available)
		<input type="checkbox"/> Sewer Master Plan
		<input type="checkbox"/> Utility Plan
		<input checked="" type="checkbox"/> Site Plan
		<input type="checkbox"/> _____
	Environmental Health Services	<input type="checkbox"/> Groundwater Contamination Report
		<input type="checkbox"/> Hydro-Geological Study
		<input checked="" type="checkbox"/> Acoustical Analysis, dated May 14, 2008
		<input checked="" type="checkbox"/> Phase I Environmental Site Assessment, dated May 13, 2008

		<input type="checkbox"/> Soils Screening
		<input type="checkbox"/> Preliminary Endangerment Assessment
		<input type="checkbox"/> _____
		<input type="checkbox"/> _____
	Air Pollution Control District	<input type="checkbox"/> CALINE4 Carbon Monoxide Analysis
		<input type="checkbox"/> Construction Emission and Dust Control Plan
		<input type="checkbox"/> Geotechnical Report (for naturally occurring asbestos)
		<input type="checkbox"/> Health Risk Assessment
		<input type="checkbox"/> URBEMIS Model Output
		<input type="checkbox"/> _____
		<input type="checkbox"/> _____
	Fire Department	<input type="checkbox"/> Emergency Response and/or Evacuation Plan
		<input type="checkbox"/> Traffic and Circulation Plan
		<input type="checkbox"/> _____
	Mosquito Abatement District	<input type="checkbox"/> Guidelines and Standards for Vector Prevention in Proposed Developments
		<input type="checkbox"/> _____



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

13760 Lincoln Way
AUBURN, CA 95603
(530) 889-0111
Website: www.fire.ca.gov

**Received**

SEP 21 2009

CDRA - Admin.

August 24, 2009

TO: Maywan Krach
Placer County Planning Department
3091 County Center Drive Suite 190
Auburn CA 95603
RE: Caldwell Rezone SCH #200908201

This project will require a Conversion Exemption as per the following:

California Code of Regulations, per section 1103, and Public Resources Code 4581 requires a Timberland Conversion Permit and/or Timber Harvest Plan be filed with the California Department of Forestry and Fire Protection if the project involves the removal of a crop of trees of commercial species (regardless of size of trees or if trees are commercially harvested).

If you require further clarification, please contact Forester Jeff Dowling at (530) 587-8926.

Sincerely,

Brad Harris

CAL FIRE

Unit Chief


Jeff Dowling
Truckee Area Forester

jd

Nicole Vanderveen

From: Robert H. Cole [rcole@law.berkeley.edu]
Sent: Thursday, September 03, 2009 1:48 PM
To: Placer County Environmental Coordination Services
Subject: Caldwell Rezone Alpine Meadows

Dear Community Development Resource Agency:

My wife and I own a cabin at 1569 Upper Bench Board in Alpine Meadows and another cabin used by our adult children at 1560 Upper Bench Road.

Our property will not be immediately affected by the proposed rezoning but I write out of concern for the environmental quality of our larger neighborhood.

I am particularly concerned that you are apparently recommending that a parcel that has from the beginning been zoned open space be rezoned for residential development, albeit limited to one house. As I read Item IX of your Mitigated Negative Declaration in this matter, it seems to say that perhaps the parcel was zoned open space out of avalanche concerns that may now appear to be less serious or can be mitigated. Beyond this speculation, the report just seems otherwise to assume that rezoning will be fine. It does not discuss the land-use merits of rezoning to residential at all. But in my judgment this is not at all adequate. We are talking about an extraordinary alpine area, the natural and beautiful environmental qualities of which are always threatened by inappropriate development. In a fragile place like this, the burden has to be on those who would convert traditionally zoned open space from its natural setting to development to explain and persuade why the development is appropriate. There is no unfairness to the owner in this; after all, he bought the property knowing it was zoned open space. It seems to me, therefore, imperative that the case be made why rezoning of this open space is desirable and appropriate. I don't say the case cannot be made -- I don't know -- but I do believe the County has to make a genuine analysis of the merits of the case and insure that the burden of change has been met if rezoning is to occur.

Accordingly, I believe the report should not be approved or acted upon unless and until the County does the due diligence of analyzing the land use values and principles involved and applying them to this parcel, to determine whether or not the case has been made for rezoning property that has been open space since the beginning of this neighborhood. The County has very competent and informed staff who can perform this necessary function. It should do this job before the Mitigated Negative Declaration goes forward.

Thank you for considering these comments, and forgive me for not being able to get them to you until so close to your deadline. Sincerely yours, Robert H. Cole

--

Robert H. Cole
2959 Piedmont Ave.
Berkeley CA 94705
(510) 549 - 3060
Fax: (510)643-2672